

## **AMENDMENTS TO THE CLAIMS**

Claims 1-46 were originally filed. No claims have been added. Claim 27 (the allowable claim elements were added to Claim 23) and Claim 40 (the allowable claim elements were added to Claim 39) are hereby cancelled. Claims 23, 28, and 39 have been amended. Claims 1, 5, 7, 9, 12, 14-24, 26, 28, 39, 42, 44, and 45 remain pending.

1. (Previously Amended) An apparatus for shaking a container, comprising:
  - a base plate, wherein said base plate is a cantilevered base plate;
  - a motor mount supported by said base plate;
  - a motor coupled to said motor mount
  - a shaft, wherein said motor is configured to rotate said shaft;
  - a wheel coupled to said shaft, wherein said wheel is configured to eccentrically rotate about said shaft, and wherein said wheel is a cam;
  - a bearing, wherein said wheel is configured to rotate within said bearing;
  - a container base coupled to said bearing such that said container base is configured to move in substantial accordance with said eccentric rotation of said wheel while dynamically tilting in a vertical direction, resulting in a vertical movement that is not de minimis; and
  - at least one container coupled to said container base, and wherein the container tilts in substantial accordance with the translation of said container base;
  - wherein said base plate is configured to flex according to said translation of said container base, wherein said base plate is made of a material that allows said base plate to flex generally downward as said container base moves away from a fixed portion of said base plate and wherein said base plate is made of a material that allows said based plate to flex generally upward as said container base moves toward a fixed portion of said base plate.

2. (Cancelled).

3. (Cancelled).

4. (Cancelled).

5. (Previously Amended) The apparatus of claim 1, wherein said flex facilitates a tilting of said container base and at least one container with respect to a

horizontal surface of said base, wherein said tilting occurs in a first plane that is perpendicular to a second plane in which the rotation of said wheel, wherein said of said container base facilitates a change to a center of motion of at least one said container, and wherein said tilting is not de minimis.

6. (Cancelled).

7. (Previously Amended) The apparatus of claim 1, wherein said base housing is made of plastic and includes a rubber base pad, wherein said motor mount is made of steel, and wherein said cam is made of brass.

8. (Cancelled).

9. (Previously Amended) The apparatus of claim 1, wherein a retaining mechanism is coupled to said container base, said retaining mechanism being configured to dampen an up-down tilt range of said container base, and wherein said retaining mechanism changes a direction of motion of said container base, and wherein said retaining mechanism includes at least one of: (a) an elastic band; (b) a rubber band; and (c) a spring.

10. (Cancelled).

11. (Cancelled).

12. (Previously Amended) The apparatus of claim 1, wherein the motion of said container base and said flex of said base plate facilitate a mixing of liquid contents within at least one said container by impacting the motion of said container, and wherein the motion of said container base and said flex of said base plate is dynamic such that it does not cause separation of contents within at least one said container when said contents comprise substances with different densities.

13. (Cancelled).

14. (Previously Amended) The apparatus of claim 1, wherein at least one said container is a sealed 3 oz. bottle.

15. (Previously Amended) The apparatus of claim 1, further including a variable power source configured to adjust a rotational speed of said shaft, and wherein the mass of said apparatus is less than approximately 6.8 kilograms.

16. (Previously Amended) The apparatus of claim 1, wherein said apparatus provides for generating no more than approximately 10 decibels of noise during operation of said apparatus at a distance of 2 feet from said apparatus when said apparatus is covered by a base housing.

17. (Previously Amended) The apparatus of claim 1, said apparatus further comprising a retaining post and a retaining band, wherein said base plate includes a rubber component and a steel component, wherein said retaining post includes a plastic component, and wherein said retaining band is a rubber band.

18. (Previously Amended) The apparatus of claim 1, wherein said container base provides for coupling with up to five sealable 3 oz. bottles, and wherein said apparatus is a nail polish shaker.

19. (Previously Amended) The apparatus of claim 18, wherein said nail polish shaker is configured to shake as many as four containers simultaneously.

20. (Previously Amended) The apparatus of claim 1, wherein said apparatus has a mass no greater than approximately 4 kilograms.

21. (Previously Amended) The apparatus of claim 1, said apparatus further comprising a power source, wherein said power source is an internal battery.

22. (Previously Amended) The apparatus of claim 1, said apparatus further comprising a power source, wherein said power source is a cord configured to receive power from an external power source.

23. (Currently Amended) A shaking device, comprising:  
a wheel configured to spin; and  
a container base interfacing with said wheel such that said container base is configured to dynamically tilt while spinning in general accordance with said spinning of said wheel, wherein said container base is configured to secure the position of the

container on said container base while said container base is in motion, and wherein a retaining mechanism is coupled to said container base, said retaining mechanism being configured to dampen an up-down tilt range of said container base;

a retaining mechanism configured to change a direction of motion of said container base, wherein said retaining mechanism includes at least one of: (a) an elastic band; and (b) a rubber band;

wherein said tilting to said container and said container base is caused at least in part by a base plate configured to flex.

24. (Previously Amended) The shaking device of claim 23, wherein a retaining mechanism is coupled between said container base and a stationary part of said shaking device.

25. (Cancelled)

26. (Previously Amended) The shaking device of claim 23, wherein said tilting facilitates a change to a center of motion of said at least one said container, and wherein at least one said container dynamically tilts while spinning along with the container base.

27. (Cancelled)

28. (Currently Amended) The shaking device of claim ~~23~~<sup>27</sup>, wherein said base plate is configured to flex generally downward as said container base translates away from a supported portion of said base plate, wherein said base plate is configured to flex generally upward as said container base translates toward a supported portion of said cantilevered base plate.

29. (Cancelled).

30. (Cancelled).

31. (Cancelled).

32. (Cancelled).

33. (Cancelled).

34. (Cancelled).

35. (Cancelled).

36. (Cancelled).

37. (Cancelled).

38. (Cancelled).

39. (Currently Amended) A method for shaking containers, comprising:  
eccentrically rotating a wheel about a substantially vertical axis;  
laterally moving a container base in substantial accordance with said eccentric rotation of said wheel, wherein said container base is configured to support at least one container; and  
tilting said container base with respect to a horizontal surface based on the movement of said container base such that a directional orientation of said lateral translation of said container base changes in substantial accordance with said tilting;  
wherein said tilting is caused by a base plate configured to flex according to said the lateral movement of said container base, and wherein said base plate is configured to flex generally downward as said container base moves away from a fixed portion of said base plate.

40. (Cancelled).

41. (Cancelled).

42. (Previously Amended) The method of claim 39, wherein said base plate is configured to flex generally upward as said container base translates toward a fixed portion of said base plate, wherein said tilting facilitates a change to a center of motion of said at least one said container.

43. (Cancelled).

44. (Previously Amended) The method of claim 42, further comprising tilting said wheel based on the movement of said container base, wherein said wheel and said container base tilt at approximately the same angle with respect to said horizontal surface.

45. (Previously Amended) The method of claim 39, wherein the movement of said container base includes a substantially radially outward motion and a substantially radially inward motion, and where the lateral movement of said container base occurs in varying radial directions around said generally vertical axis.

46. (Cancelled).